

CLOSED, ECF, MEMBER, RELATED

**U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:05-cv-05168-KMK
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U.S. DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

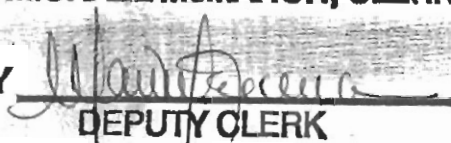
McMath v. MBNA Corp. et al
Assigned to: Judge Kenneth M. Karas
Related Case: 1:05-cv-04725-KMK
Cause: 28:1331 Fed. Question

Date Filed: 05/31/2005
Jury Demand: Plaintiff
Nature of Suit: 850
Securities/Commodities
Jurisdiction: Federal Question

Plaintiff

Virginia McMath
*on behalf of herself and all others
similarly situated*

represented by **Curtis Victor Trinko**
Law Offices of Curtis V. Trinko, LLP
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

A TRUE COPY
J. MICHAEL McMAHON, CLERK
BY 
DEPUTY CLERK

V.

Defendant

MBNA Corp.

represented by **Richard C. Pepperman, II**
Sullivan and Cromwell, LLP(NYC)
125 Broad Street
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Defendant

Bruce L. Hammonds

represented by **Richard C. Pepperman, II**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Kenneth A. Vecchione

represented by **Richard C. Pepperman, II**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant**Richard K. Struthers**

represented by **Richard C. Pepperman, II**
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ATTORNEY TO BE NOTICED

Defendant**Charles C. Krulak**

represented by **Richard C. Pepperman, II**
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Defendant**John R. Cochran, III**

represented by **Richard C. Pepperman, II**
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Defendant**Michael G. Rhodes**

represented by **Richard C. Pepperman, II**
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Defendant**Lance L. Weaver**

represented by **Richard C. Pepperman, II**
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Defendant**John W. Scheflen**

represented by **Richard C. Pepperman, II**
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Movant**Scott Kimball**

represented by **Curtis Victor Trinko**
 (See above for address)
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
05/31/2005	1	COMPLAINT against Michael G. Rhodes, Lance L. Weaver, John W. Scheflen, MBNA Corp., Bruce L. Hammonds, Kenneth A. Vecchione, Richard K. Struthers, Charles C. Krulak, John R. Cochran, III. (Filing Fee \$ 250.00, Receipt Number 545142)Document filed by Virginia McMath.(mo,) Additional attachment(s) added on 6/8/2005 (laq,).

		(Entered: 06/02/2005)
05/31/2005	1	SUMMONS ISSUED as to Michael G. Rhodes, Lance L. Weaver, John W. Schefflen, MBNA Corp., Bruce L. Hammonds, Kenneth A. Vecchione, Richard K. Struthers, Charles C. Krulak, John R. Cochran, III. (mo,) (Entered: 06/02/2005)
05/31/2005	2	Case Designated ECF. (mo,) (Entered: 06/02/2005)
05/31/2005	3	CASE REFERRED TO Judge Kenneth M. Karas as possibly relate to 1:05-cv-4725. (mo,) (Entered: 06/02/2005)
06/16/2005	4	CASE ACCEPTED AS RELATED TO 05cv4725. Notice of Assignment to follow. (jeh,) (Entered: 06/21/2005)
06/16/2005	5	Magistrate Judge James C. Freeman is so designated. (jeh,) (Entered: 06/21/2005)
06/16/2005	6	NOTICE OF CASE ASSIGNMENT to Judge Kenneth M. Karas. Judge Unassigned no longer assigned to the case. (jeh,) (Entered: 06/21/2005)
07/05/2005	7	MOTION to Consolidate Cases 05-CV-04725 <i>Appointment as Lead Plaintiffs, and for Approval of Selection of Co-Lead Counsel</i> . Document filed by Scott Kimball, Virginia McMath, M.B. Kajbafnezhad, James Moran and Nancy Kisha Moran. (Attachments: # 1 Certificate of Service) (Trinko, Curtis) Modified on 7/8/2005 (kg). (Entered: 07/05/2005)
07/05/2005	8	MEMORANDUM OF LAW in Support re: 3 MOTION to Consolidate Cases 05-CV-04725 <i>Appointment as Lead Plaintiffs, and for Approval of Selection of Co-Lead Counsel</i> .. Document filed by Virginia McMath, Scott Kimball. (Trinko, Curtis) (Entered: 07/05/2005)
07/05/2005	9	DECLARATION of Curtis V. Trinko in Support re: 3 MOTION to Consolidate Cases 05-CV-04725 <i>Appointment as Lead Plaintiffs, and for Approval of Selection of Co-Lead Counsel</i> .. Document filed by Virginia McMath, Scott Kimball. (Attachments: # 1 Exhibits A-E)(Trinko, Curtis) (Entered: 07/05/2005)
07/11/2005	10	RULE 7.1 DISCLOSURE STATEMENT. Document filed by MBNA Corp..(Pepperman, Richard) (Entered: 07/11/2005)
07/11/2005	11	MOTION to Consolidate Cases 05-4725., MOTION to Transfer Case to the District of Delaware. Document filed by Michael G. Rhodes, Lance L. Weaver, John W. Schefflen, MBNA Corp., Bruce L. Hammonds, Kenneth A. Vecchione, Richard K. Struthers, Charles C. Krulak, John R. Cochran, III. (Attachments: # 1 Memorandum of Law in Support of Motion# 2 Affidavit Ryan C. Williams)(Pepperman, Richard) (Entered: 07/11/2005)
07/19/2005	12	ENDORSED LETTER addressed to Judge Kenneth M. Karas from Peter E. Seidman dated 7/5/05 re: Counsel for Activest Investmentgesellschaft mbH writes to request that leave be granted to file the Lead Plaintiff Motion. Leave is granted to Activest Investmentgesellschaft mbH to file its motion to be appointed lead plaintiff without the submission of a pre-

		motion letter. The briefing of this motion is addressed in a separate order of the court dated 7/12/05. So Ordered. (Signed by Judge Kenneth M. Karas on 7/12/05) (jco,) (Entered: 07/20/2005)
07/19/2005	9	ORDER that any responses shall be filed on or before 7/22/05; reply briefs shall be filed on or before 7/29/05. No extensions will be granted. So Ordered. (Signed by Judge Lewis A. Kaplan on 7/12/05) (jco,) (Entered: 07/20/2005)
07/20/2005	10	ORDER the parties appear for a pre-motion conference in this case. The conference shall be held on 7/27/05 at 2:30 p.m. in the U.S. Courthouse for the S.D.N.Y. courtroom 21D- 500 Pearl Street. So Ordered. (Signed by Judge Kenneth M. Karas on 7/19/05) (jco,) (Entered: 07/21/2005)
07/22/2005	11	NOTICE of Withdrawal of Motion for Lead Plaintiff. Document filed by Virginia McMath, Scott Kimball. (Trinko, Curtis) (Entered: 07/22/2005)
07/28/2005	12	ORDER; Plaintiffs response to dfts motion to consolidate/Transfer actions are due on or before 8/17/05; dfts reply due 8/23/05; oral argument scheduled for 8/29/005 @ 11:00 a.m. (Signed by Judge Kenneth M. Karas on 7/28/05) (pl,) (Entered: 07/29/2005)
07/28/2005		Set/Reset Scheduling Order Deadlines: Responses due by 8/17/2005 Replies due by 8/23/2005. Oral Argument set for 8/29/2005 11:00 AM before Judge Kenneth M. Karas. (pl,) (Entered: 07/29/2005)
07/28/2005		Minute Entry for proceedings held before Judge Kenneth M. Karas : Motion Hearing held on 7/28/2005 re: Motion Hearing held on 7/27/2005 re: Case called for pre motion conference. Scheduling order set. Oral argument set for 8/29/05 @11 a.m. (pl,) (Entered: 08/11/2005)
08/03/2005	13	ENDORSED LETTER addressed to Judge Karas from Richard C. Pepperman, II dated 7/28/05 re: request that the Court deem the papers previously filed by defendants with the Court on 7/11/05 as defendants' motion to consolidate actions 05cv4725 and 05cv5168 and transfer them to the District of Delaware pursuant to 28 U.S.C. 1404(a). So Ordered (Signed by Judge Kenneth M. Karas on 8/3/05) (yv,) (Entered: 08/04/2005)
08/17/2005	14	MEMORANDUM OF LAW in Opposition re: 7 MOTION to Consolidate Cases 05-4725. MOTION to Transfer Case to the District of Delaware. MOTION to Transfer Case to the District of Delaware.. Document filed by Virginia McMath. (Attachments: # 1 Certificate of Service)(Trinko, Curtis) (Entered: 08/17/2005)
08/17/2005	15	DECLARATION of Jeffrey B. Silverstein in Opposition re: 7 MOTION to Consolidate Cases 05-4725. MOTION to Transfer Case to the District of Delaware. MOTION to Transfer Case to the District of Delaware.. Document filed by Virginia McMath. (Trinko, Curtis) (Entered: 08/17/2005)
08/24/2005	16	REPLY MEMORANDUM OF LAW in Support re: 7 MOTION to Consolidate Cases 05-4725. MOTION to Transfer Case to the District of

		<i>Delaware.</i> MOTION to Transfer Case to the District of Delaware.. Document filed by Michael G. Rhodes, Lance L. Weaver, John W. Schefflen, MBNA Corp., Bruce L. Hammonds, Kenneth A. Vecchione, Richard K. Struthers, Charles C. Krulak, John R. Cochran, III. (Pepperman, Richard) (Entered: 08/24/2005)
08/30/2005	17	ORDER granting 3 Motion to Consolidate Cases 05-4725 (as Lead Case) with 05-5168, granting 7 Motion to Consolidate Cases 05-4725 (as Lead Case) with 05-5168, granting 7 Motion to Transfer Case to the District of Delaware.. (Signed by Judge Kenneth M. Karas on 8/29/05) (cd,) (Entered: 08/31/2005)
08/30/2005		*** Set/Clear Flags *** Added flag(s):MEMBER, as per doc #17, fld in 05-5168. (cd,) (Entered: 08/31/2005)
08/30/2005		CASE TRANSFERRED OUT from the U.S.D.C. Southern District of New York to the United States District Court - District of Delaware. Sent original file along with documents numbered 1-17, certified copy of docket entries and transfer order. (cd,) (Entered: 08/31/2005)